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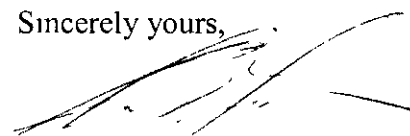
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYMs. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S W.
Washington, D.C. 20554Re: Ex Parte Notice in MM Docket No. 99-325

Dear Ms Dortch

On behalf of the Recording Industry Association of American ("RIAA"), this is to notify the Commission, pursuant to Section 1.1206 of its rules, that, on April 8, 2004, Steven Marks, Esq, General Counsel of the RIAA, spoke by telephone with Catherine Crutcher Bohigan, Legal Advisor on Media Issues to Commissioner Martin, and left voice mail messages with the legal advisors on media issues to the other Commissioners, in connection with the above-referenced proceeding. In that conversation and those voice mail messages, Mr. Marks expressed RIAA's view that the Commission should consider the issue of whether to adopt content protection rules in the Notice of Proposed Rule Making that was adopted at the Commission meeting on April 15, 2004. Mr. Marks noted RIAA's concern that digital audio broadcast transmissions without appropriate protection of the music would lead to unauthorized distribution and copying of sound recordings that would seriously injure the creators of those recordings.

If there are any questions concerning this matter, please let me know.

Sincerely yours,

Theodore D. Frank
Counsel for the Recording Industry
Association of America

cc Steven Marks, Esq

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